TITLE 33
EDUCATION

CHAPTER 22
VOCATIONAL EDUCATION -- FEDERAL AID

33-2201. ASSENT TO SMITH-HUGHES ACT. The state of Idaho hereby accepts the benefits and provisions of an act of Congress approved February 23, 1917, entitled "An act to provide for the promotion of vocational education, to provide for the cooperation with the states and the promotion of such education in agriculture and the trades and industries; to provide for the cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," commonly known as the Smith-Hughes Act.


33-2202. STATE BOARD FOR CAREER TECHNICAL EDUCATION -- POWERS AND DUTIES. (1) The state board of education is hereby designated as the state board for career technical education for the purpose of carrying into effect the provisions of the federal act known as the Smith-Hughes act, amendments thereto, and any subsequent acts now or in the future enacted by Congress affecting vocational education, and is hereby authorized to cooperate with the United States office of education, vocational division, or any other agency of the United States designated to administer such legislation, in the administration and enforcement of the provisions of said act, or acts, and to exercise such powers and perform such acts as are necessary to entitle the state of Idaho to receive the benefits of the same, and to execute the laws of the state of Idaho relative to career technical education; to administer the funds provided by the federal government and the state of Idaho under the provisions of this chapter for promotion of education in agricultural subjects, trade and industrial subjects, family and consumer science subjects and other subjects authorized by the board. Incident to the other powers and duties of the board for career technical education, the board may hold title to real property.

(2) As used in this title, unless otherwise specifically defined, the term "career technical education" means all secondary, postsecondary, and adult courses, programs, training, and services administered by the division of career technical education for occupations or careers that require other than a baccalaureate, master's, or doctoral degree. As approved by the board, this term may also apply to specific courses or programs offered in grades 7 and 8 or offered by any approved public charter school that are delivered through traditional or virtual online instructional methods. This term may also apply to virtual, blended, or other career technical education programs.

(3) The courses, programs, training, and services include, but are not limited to, career, technical, and applied technology education. They are delivered through the career technical delivery system of public secondary schools, including approved public charter schools, irrespective of the delivery method, and postsecondary schools and colleges. The division of career technical education will include approved public charter schools and their students equally and without discrimination in reviewing, authorizing, and funding the delivery of career technical education courses and pro-
grams, irrespective of the school's chosen instructional delivery method, as long as the chosen instructional delivery method is appropriate to the nature of the work as demonstrated by participation in a capstone course that meets recognized industry standards. Career technical education programs may be delivered by traditional, blended, or virtual models and must meet the required elements as outlined in the state standards for secondary programs. Virtual programs will utilize post-capstone interviews conducted by industry professionals to demonstrate technical proficiency and to satisfy face-to-face requirements. Interviews will be based on students' needs and may be conducted face-to-face or electronically.


33-2203. FURTHER POWERS OF BOARD. The board shall have full power to formulate plans for the promotion of career technical education in such subjects as are an essential and integral part of the public school system of the state of Idaho, and to provide for the preparation of teachers of such subjects. It shall have full power to fix the compensation of such officials and assistants as may be necessary to administer the federal act herein referred to and to pay such compensation and other necessary expenses of administration from funds appropriated in this chapter and from money received under the provisions of the federal act. It shall have authority to make studies and investigations relating to career technical education in such subjects, to promote and aid in the establishment of local communities of schools, departments or classes, giving training in such subjects; to cooperate with the local communities in the maintenance of such schools, departments or classes; to prescribe qualifications for teachers, directors and supervisors for such subjects, and to have full authority to provide for the certification of such teachers, directors and supervisors, subject to the laws and rules governing the state board of education; to cooperate in the maintenance of classes supported and controlled by the public for the preparation of teachers, directors and supervisors of such subjects, or to maintain such classes under its own direction and control; and to establish and determine by general rule the qualifications to be possessed by persons engaged in the training of career technical teachers.


33-2204. MEETINGS OF STATE BOARD. The state board of education, when acting as the state board for career technical education, shall hold four (4) regular meetings annually at such time and place as may be directed by said board, but special meetings may be called at any time and at a place designated in said call by the president.

33-2205. STATE BOARD TO APPOINT ADMINISTRATOR -- DESIGNATION OF ASSIS-
TANTS -- DIVISION OF CAREER TECHNICAL EDUCATION -- DUTIES AND POWERS. (1) The
state board of education shall appoint a person to serve as an administrator
to the state board for career technical education, who shall be known as the
administrator of career technical education. The administrator shall des-
signate, by and with the advice and consent of the state board for career tech-
nical education, such assistants as may be necessary to properly carry out
the provisions of the federal acts and this chapter for the state of Idaho.
The administrator and such assistants shall together be known as the divi-
sion of career technical education.

(2) The administrator of career technical education shall also carry
into effect such rules as the state board for career technical education may
adopt, shall coordinate all efforts in career technical education approved
by the board with the executive secretary, and shall prepare such reports
concerning the condition of career technical education in the state as the
state board for career technical education may require.

(3) The division of career technical education may coordinate with
the Idaho digital learning academy to develop any statewide virtual career
technical education course delivery. Districts may choose to enroll in the
course offered by the Idaho digital learning academy or may use their own
curriculum providers.

(4) The division of career technical education shall maintain a list
of secondary career technical education pathways that can be delivered by
traditional means or entirely online, or a combination of both methods. The
division of career technical education shall develop a methodology for the
funding of each pathway delivery type. For those pathways that are able to
be delivered entirely online, there shall be a presumption that they shall
receive the same funding as for traditional career technical education path-
ways; however, actual funding shall be based upon actual approved costs, not
to exceed the cost of delivering these pathways in a traditional setting.

(5) The division of career technical education may provide incentives
to Idaho public colleges and universities offering career technical pro-
grams that, in coordination with the division, align their foundational
courses that are required in the same or substantially similar programs of
study so as to achieve uniformity and transferability in the core program
requirements at all such public colleges and universities. Postsecondary
credits earned by a student in a career technical education program shall
transfer at the full credit value to any public Idaho college or university in
a like program of study and such postsecondary credits will be treated
by any such public college or university as satisfying specific course
requirements in such program of study.

(6) The board shall authorize the issuance of career technical educa-
tion certificates to individuals who seek to teach in career-related sub-
jects and who:

(a) Submit to a criminal history check as described in section 33-130,
Idaho Code, and meet at least one (1) of the following criteria:

1. Hold or have held an approved industry certification in a
field closely related to the content area in which the individual
seeks to teach as defined by the division of career technical edu-
cation;
2. Demonstrate a minimum of six thousand (6,000) hours of
professional experience in a field closely related to the content
area in which the individual seeks to teach; or
(iii) Hold a baccalaureate degree in a field closely related to the content area in which the individual seeks to teach and demonstrate two thousand (2,000) hours of professional experience in a field closely related to the content area in which the individual seeks to teach; and

(b) Complete an educator training program or courses approved by the division of career technical education.

(7) The state board of education may promulgate rules to implement the provisions of this section.


33-2206. REPORTS. The state board for career technical education shall make annually to the governor and legislature a report of all moneys expended for career technical education both from state and federal funds, and shall include such annual report in the annual report of the state board of education.


33-2207. CUSTODY AND DISBURSEMENT OF MONEYS APPROPRIATED. The state treasurer is hereby designated and appointed custodian of all moneys received by the state from the appropriation made by said act of congress, and he is authorized to receive and to provide for the proper custody of the same and to make disbursement thereof in the manner provided in the said act, and for the purposes therein specified. He shall also pay out any moneys appropriated by the state of Idaho for the promotion of career technical education in accordance with the provisions of sections 33-2201 through 33-2207, Idaho Code, and upon the order of the state board for career technical education.


33-2211. POWERS OF STATE BOARD FOR CAREER TECHNICAL EDUCATION. The state board for career technical education shall have the power:

1. To adopt rules for its own government and any career technical or vocational rehabilitation program, including programs under chapters 22 and 23, title 33, Idaho Code;
2. To employ professional and nonprofessional persons and to prescribe their qualifications;
3. To acquire and hold, and to dispose of, real and personal property, and to construct, repair, remodel and remove buildings;
4. To contract for the acquisition, purchase or repair of buildings, in the manner prescribed for trustees of school districts pursuant to section 33-601, Idaho Code;
5. To dispose of real and personal property in the manner prescribed for trustees of school districts pursuant to section 33-601, Idaho Code;
(6) To convey and transfer real property of the college upon which no buildings used for instruction are situated to nonprofit corporations, school districts, community college housing commissions, counties or municipalities, with or without consideration; to rent real or personal property for the use of the college, its students or faculty for such terms as may be determined by the state board for career technical education; and to lease real or personal property of the college not actually in use for instructional purposes on such terms as may be determined by the state board for career technical education;

(7) To acquire, hold, and dispose of water rights;

(8) To accept grants or gifts of money, materials, or property of any kind from any governmental agency or from any person, firm, or association on such terms as may be determined by the grantor;

(9) To cooperate with any governmental agency or any person, firm or association in the conduct of any educational program; to accept grants from any source for the conduct of such program, and to conduct such program on, or off, campus;

(10) To employ a president of the college and, with his advice, to appoint such assistants, instructors, specialists and other employees as are required for the operation of the college; to fix salaries and prescribe duties; and to remove the president or other employees in accordance with the policies and rules of the state board of education;

(11) With the advice of the president, to prescribe the courses and programs of study, the requirements for admission, the time and standards for completion of such courses and programs, and to grant certificates or associate of applied science degrees for those students entitled thereto;

(12) To employ architects or engineers in planning the construction, remodeling or repair of any building or property and, whenever no other agency is designated by law so to do, to let contracts for such construction, remodeling or repair and to supervise the work thereof; and

(13) To have at all times general supervision and control of all property, real and personal, appertaining to the college, and to insure the same.


33-2213. INDUSTRY PARTNER FUND. (1) There is hereby established in the state treasury the industry partner fund. The fund shall consist of moneys made available through legislative transfers and appropriations, and from any other source. The Idaho technical college leadership council (TCLC) and the administrator of the division of professional-technical education shall together administer the fund pursuant to the provisions of this section, and for the purpose of providing timely access to relevant college credit and noncredit training and support projects. If practicable, such training and projects may result in Idaho public college credits, certificates, certifications, qualifications or microcertifications of value toward postsecondary certificates or degrees.

(2) The professional-technical colleges may work with regional industry partners to provide a rapid response to gaps in skills and abilities using moneys from the fund. Any professional-technical college seeking
to use moneys from the fund for this purpose must submit a proposal docu-
menting established needs to the TCLC and administrator for approval. The
TCLC and administrator shall consider the proposals in light of regional
demand, labor market information, wage thresholds, impact potential and
degree of employer commitment. Preference will be given to proposals with
multiple employers, number of impacted workers and demonstrated commitment.
Demonstrated commitment must include a promissory contribution, either
in terms of cash or in-kind contribution to the project cost with highest
consideration given to match proposals. Within thirty (30) days of receipt
of a proposal, the TCLC and administrator shall notify in writing the profes-
sional-technical college as to whether the proposal has been approved.

33-2214. IDAHO CAREER READY STUDENTS PROGRAM. (1) There is hereby es-
lished the Idaho career ready students program to create additional op-
portunities for career technical education programs across Idaho that are
responsive to community and statewide workforce needs while preparing Idaho
secondary students in grades 7 through 12 for careers after graduation. For
the purpose of this section, "program" means the Idaho career ready students
program.

2) There is hereby established in the state treasury the Idaho career
ready students program fund to be administered by the state department of ed-
ucation. Moneys in the fund shall consist of:
(a) Legislative appropriations;
(b) Interest earned on idle moneys in the fund; and
(c) Contributions from other sources, such as donations or gifts.

3) There is hereby established in the state department of education,
with the superintendent of public instruction as the department's executive
officer and a member of the state board for career technical education, the
Idaho career ready students program council.
(a) The council shall be comprised of eleven (11) members as follows:
   (i) The state superintendent of public instruction or the super-
   intendent's designee, who shall serve as the chair of the council;
   (ii) The administrator for the division of career technical edu-
   cation;
   (iii) Two (2) persons teaching secondary-level career technical
   education courses, as appointed by the career technical educators
   of Idaho (CTEI) in its capacity as the professional association
   for career technical educators in Idaho;
   (iv) One (1) person teaching a postsecondary career technical ed-
   ucation course, as appointed by CTEI in its capacity as the profes-
   sional association for career technical educators in Idaho;
(v) Three (3) persons representing various industries as appointed by the governor;
(vi) One (1) person representing the Idaho workforce development council as appointed by such council;
(vii) One (1) member of the house of representatives as appointed by the speaker of the house of representatives; and
(viii) One (1) member of the senate as appointed by the president pro tempore of the senate.

(b) Each member of the council shall be appointed for a term of three (3) years. If a vacancy occurs, a new council member shall be appointed in accordance with the provisions of the original appointment for the unexpired portion of the vacated term. Council members may be replaced by the applicable appointing authority, in consultation with the council chair, because of poor attendance, lack of participation in the council’s work, or malfeasance in office.

4) The council shall establish a process for accepting Idaho career ready students program proposals from local education agencies on an individual or regional basis. The council shall determine eligible expenses for the program, including but not limited to capital costs associated with building programming and initial investments for partnerships between local education agencies, local industry, and, as practicable, community colleges to create apprenticeships or local pathways. The council shall further establish a process for prioritizing program grants and awarding grants to local education agencies on either an annual or multi-year basis.

(5) Preference in grant awards shall be given to local education agencies with proposals that are responsive to community and statewide workforce needs, including local education agencies that create partnerships with local industry and other stakeholders, propose a plan that is sustainable and meets local needs, and have challenges accessing resources to sustain high quality career technical programming for secondary students in grades 7 through 12, especially in rural communities.

(6) The superintendent of public instruction shall report annually to the governor, the legislature, and the state board for career technical education on the administration and outcomes of the program. The council shall determine the outcome measures for the program.

[33-2214, added 2023, ch. 231, sec. 1, p. 715.]

33-2215. ADDED COST FUNDING SUPPORT PROGRAM. (1) The state board of education, in its capacity as the state board for career technical education, shall administer an added cost funding support program for career technical education programs through the division of career technical education. For purposes of this section, "added cost funds" means funds distributed to local education agencies for operating and instructor expenses beyond those normally encountered for secondary-level career technical education programs.

(2) The funding for the added cost funding support program shall consist of moneys appropriated by the legislature to the division of career technical education in the secondary and general programs budget or an equivalent budget within the state department of education.

(3) Added cost funds shall be used only for expenses directly related to an approved career technical education program or a program that has received an Idaho career ready students program grant. The state board for
career technical education shall develop the categories of eligibility for added cost funds.

(4) The superintendent of public instruction, in consultation with the division of career technical education, shall develop an updated funding formula for added cost funding to account for programs receiving Idaho career ready students program grants and newly approved programs statewide. The updated formula must be approved by the state board for career technical education.

(5) The division of career technical education shall provide an annual report on added cost funding to the joint finance-appropriations committee and the senate and house of representatives education committees. Additionally, the division shall:

(a) Provide the state board for career technical education a review every three (3) years of programs receiving added cost funding;
(b) Determine the effectiveness of these programs; and
(c) Develop a prioritization of added cost funding.

(6) The state board for career technical education shall monitor the added cost funding support program and determine a method to measure the program's effectiveness.

[33-2215, added 2023, ch. 231, sec. 2, p. 716.]